

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**MELYNDA MICHELLE FISHER,**

*Plaintiff,*

vs.

**SETON FAMILY OF HOSPITALS,**

*Defendant.*

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**NO. 1:18-cv-1108-RP**

**FIRST AMENDED JOINT STIPULATED EXHIBIT LIST**

Plaintiff Melynda Michelle Fisher and Defendant Seton Family of Hospitals (“Parties”), hereby submit the following first amended joint stipulated exhibits list to be offered at the May 10, 2021 trial (except those to be used for impeachment only). Copies of the exhibits listed below are being provided to both Parties’ counsel pursuant to Local Rule 16, and pursuant to the parties’ agreement that the documents are covered by the terms of the Agreed Confidentiality and Protective Order.

<b>JTX No.</b>	<b>PX No.</b>	<b>DX No.</b>	<b>Identification</b>	<b>Description of Exhibit</b>
<b>JTX No. 1</b>	N/A	<b>DX 1</b>	SETON 00000016 - 00000018	Ascension Texas Ministry Policy Equal Employment Opportunity
<b>JTX No. 2</b>	N/A	<b>DX 2</b>	SETON 00000001 - 00000005	Ascension Texas Ministry Policy Americans with Disabilities (ADA)
<b>JTX No. 3</b>	N/A	<b>DX 3</b>	SETON 00000476 - 00000481	Family Medical Leave Act (FMLA) Procedure
<b>JTX No. 4</b>	N/A	<b>DX 4</b>	SETON 00000431 - 00000436	Seton Healthcare Family Policy Associate Conduct and Discipline
<b>JTX No. 5</b>	N/A	<b>DX 5</b>	SETON 00000026	Seton Healthcare Family Policy Management of Absenteeism
<b>JTX No. 6</b>	N/A	<b>DX 6</b>	SETON 00000065 - 00000068	Dell Children’s Medical Group Guidelines for Non-Exempt Associates
<b>JTX No. 7</b>	N/A	<b>DX 7</b>	SETON 00000069 - 00000070	10/16/2017 Living the Promise Acknowledgment
<b>JTX</b>	N/A	<b>DX 8</b>	SETON 00000373 - 407	Weekly Absence Reports

<b>No. 8</b>			SETON 00000621 - 635 SETON 00000651 - 699 SETON 00000703 - 710 SETON 00000715 SETON 00000720 - 723	
<b>JTX No. 9</b>	<b>PX 5</b>	<b>DX 9</b>	FISHER 000098 - FISHER 147	Text Messages between Kendall Sharp (“Sharp”) and Melynda Fisher (“Fisher”)
<b>JTX No. 10</b>	<b>N/A</b>	<b>DX 10</b>	SETON 00000851 - 00000860	7/18/2017 Letter from Sedgwick to Fisher re Notice of Eligibility and Rights and Responsibilities
<b>JTX No. 11</b>	<b>N/A</b>	<b>DX 11</b>	SETON 00000786 – 00000788	7/31/2017 Letter to Fisher from Sedgwick re Approval of Intermittent Family/Medical Leave
<b>JTX No. 12</b>	<b>N/A</b>	<b>DX 12</b>	SETON 00000061 - 00000062	8/23/2017 Memorandum to Fisher from Sharp re Performance Coaching
<b>JTX No. 13</b>	<b>N/A</b>	<b>DX 13</b>	SETON 00000324	9/5/2017 Email from Sharp to Fisher re Employee Assistance
<b>JTX No. 14</b>	<b>PX 16</b>	<b>DX 14</b>	SETON 00000376	9/16/2017 Email from Sharp to Fisher re Floating Medical Assistant help
<b>JTX No. 15</b>	<b>N/A</b>	<b>DX 15</b>	SETON 00000380	10/14/2017 Email from Sharp to Fisher re Kronos time edit requests
<b>JTX No. 16</b>	<b>N/A</b>	<b>DX 16</b>	SETON 00000421	10/29/2017 Ascension Health Intermittent Absence Report
<b>JTX No. 17</b>	<b>N/A</b>	<b>DX 17</b>	SETON 00000837	11/7/2017 Letter from Sedgwick to Fisher re Denial of Leave Request under the FMLA - Late Reported Intermittent Absence(s)
<b>JTX No. 18</b>	<b>PX 18</b>	<b>DX 18</b>	SETON 00000407	11/9/2017 Email string between Sharp & Elena Rojo (“Rojo”) re FMLA associate
<b>JTX No. 19</b>	<b>N/A</b>	<b>DX 19</b>	SETON 00000567 - 00000568	11/14/2017 Email string between Sharp and Rojo and William Cook re termination of Fisher
<b>JTX No. 20</b>	<b>N/A</b>	<b>DX 20</b>	SETON 00000053 - 00000054	11/15/2017 Associates Counseling Report - Termination of Employment
<b>JTX No. 21</b>	<b>PX 2</b>	<b>DX 21</b>	SETON 00000742 - 00000875	Sedgwick Records for Fisher Family Leave
<b>JTX No. 22</b>	<b>N/A</b>	<b>DX 22</b>	SETON 00001086	11/5/2017–11/18/2017 Paystub from Final Pay Period
<b>JTX No. 23</b>	<b>N/A</b>	<b>DX 23</b>	SETON 00001090	Payroll Records
<b>JTX No. 24</b>	<b>N/A</b>	<b>DX 24</b>	Exhibit A-16 submitted with Defendant’s Motion for Summary Judgment	9/7/2017 Text Message from Fisher to Sharp re coworker complaining about Fisher’s leave
<b>JTX No. 25</b>	<b>N/A</b>	<b>DX 25</b>	SETON 00000876 - 00000941	Evins Personnel Consultants Records for Fisher
<b>JTX No. 26</b>	<b>N/A</b>	<b>DX 26</b>	SETON 00000942 - 00001080	Texas Orthopedics Records for Fisher

<b>JTX No. 27</b>	<b>N/A</b>	<b>DX 27</b>	SETON 00000728 - 00000738	Comparator Disciplinary Documents
<b>JTX No. 28</b>	<b>N/A</b>	<b>DX 28</b>	SETON 00000056 – 00000060; SETON 00000071	Records of Fisher's Absences
<b>JTX No. 29</b>	<b>PX 1</b>	<b>N/A</b>	SETON 00063-64	River Rock Dental Note
<b>JTX No. 30</b>	<b>PX 3</b>	<b>N/A</b>	SETON 000559-560	Fisher Termination Notice
<b>JTX No. 31</b>	<b>PX 4</b>	<b>N/A</b>	SETON 000616	Sharp Chart of Fisher Leave
<b>JTX No. 32</b>	<b>PX 6</b>	<b>N/A</b>	SETON 000852-854	FMLA notice of eligibility
<b>JTX No. 33</b>	<b>PX 7</b>	<b>N/A</b>	SETON 000175	FMLA approval e-mail
<b>JTX No. 34</b>	<b>PX 8</b>	<b>N/A</b>	FISHER 000011	EEOC Charge Michelle Fisher
<b>JTX No. 35</b>	<b>PX 9</b>	<b>N/A</b>	FISHER 000038-43	Seton FMLA policy
<b>JTX No. 36</b>	<b>PX 10</b>	<b>N/A</b>	FISHER 000044-48	Seton Management of Absenteeism policy
<b>JTX No. 37</b>	<b>PX 15</b>	<b>N/A</b>	FISHER 0000180-207	Michelle Fisher job application records
<b>JTX No. 38</b>	<b>PX 16</b>	<b>N/A</b>	SETON 000404	E-mail exchange between Sharp and Daniels
<b>JTX No. 39</b>	<b>PX 17</b>	<b>N/A</b>	SETON 000404	E-mail exchange between Sharp and Daniels
<b>JTX No. 40</b>	<b>PX 19</b>	<b>N/A</b>	SETON 000411- 412	E-mail exchange between Sharp and Rojo
<b>JTX No. 41</b>	<b>PX 20</b>	<b>N/A</b>	SETON 000504-528	E-mail from Sharp with attachments
<b>JTX No. 42</b>	<b>PX 22</b>	<b>N/A</b>	SETON 000580	E-mail from Kendall Sharp
<b>JTX No. 43</b>	<b>N/A</b>	<b>N/A</b>	Exhibit 8 submitted during Plaintiff's Deposition	E-Mail from Melynda Fisher

Respectfully submitted,

/s/ Kell A. Simon (w/permission)

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**ATTORNEYS FOR DEFENDANT  
SETON FAMILY OF HOSPITALS**

**CERTIFICATE OF SERVICE**

On the 7th day of May 2021, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Western District of Texas, Austin Division, using the Electronic Case Filing system of the Court. I hereby certify that I have served all counsel of record via the Court's e-filing system as follows:

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/s/ Melissa J. Ackie  
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